

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FORT ROSS HOMES, INC., et al.,

Plaintiff,

Civil Action No. 11-CV-14070

vs.

HON. BERNARD A. FRIEDMAN

MIKHAIL G. KHEYNSON, et al.,

Defendants.

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**ORDER ACCEPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Magistrate Judge Michael Hluchaniuk has submitted a Report and Recommendation ("R&R") in which he recommends that the court dismiss the complaint in this matter due to the failure of the two remaining plaintiffs, both of which are corporations, to have counsel enter an appearance on their behalf. No party has objected to the R&R and the time to do so has expired. The court has reviewed the file and the R&R and believes the magistrate's recommendation is sound. In federal court, corporations may appear only through counsel.<sup>1</sup> The court warned plaintiffs in an order dated September 22, 2011, that it would dismiss the complaint if they failed to obtain counsel. As the magistrate judge notes, plaintiffs have disregarded this warning. Accordingly,

IT IS ORDERED that Magistrate Judge Hluchaniuk's Report and Recommendation

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<sup>1</sup> See *Rowland v. Calif. Men's Colony*, 506 U.S. 194, 201-203 (1993) ("It has been the law for the better part of two centuries . . . that a corporation may appear in the federal courts only through licensed counsel."); *Dimercurio v. Comm'r of Internal Revenue*, 2008 WL 5784519 (6<sup>th</sup> Cir. June 16, 2008) (trust cannot be represented by a trustee); *Harris v. Akron Dep't of Public Health*, 10 Fed.App'x 316, 319 (6<sup>th</sup> Cir. 2001) (corporation cannot be represented by its president); *Doherty v. Am. Motors Corp.*, 728 F.2d 334, 340 (6<sup>th</sup> Cir. 1984) ("a corporation cannot appear in federal court except through an attorney").

of January 5, 2012, is hereby accepted and adopted as the findings and conclusions of the court.

IT IS FURTHER ORDERED that the complaint is dismissed. The case will proceed on defendants' counterclaim.

S/Bernard A. Friedman\_\_\_\_\_  
BERNARD A. FRIEDMAN  
SENIOR UNITED STATES DISTRICT JUDGE

Dated: January 24, 2012  
Detroit, Michigan